

(ORDER LIST: 546 U.S.)

MONDAY, DECEMBER 12, 2005

**CERTIORARI -- SUMMARY DISPOSITIONS**

04-1139 SPELLINGS, SEC. OF ED. V. LEE, DEE E.

The petition for a writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Eighth Circuit for further consideration in light of *Lockhart v. United States*, 546 U.S. \_\_\_\_ (2005).

04-1740 WAGNON, SEC., KS DEPT. OF REV. V. PRAIRIE BAND POTAWATOMI NATION

The petition for a writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Tenth Circuit for further consideration in light of *Wagnon v. Prairie Band Potawatomi Nation*, 546 U.S. \_\_\_\_ (2005).

05-59 UNITED STATES V. MATTHEWS, JUSTIN W.

The motion of respondent for leave to proceed *in forma pauperis* is granted. The petition for a writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Eleventh Circuit for further consideration in light of *Gonzales v. Raich*, 545 U.S. \_\_\_\_ (2005).

**ORDERS IN PENDING CASES**

05A439 LEPRICH, JOHANN V. WRONA, PHILLIP

The application for bail addressed to Justice Souter and referred to the Court is denied.

05M32

THOMAS, ANDRE V. CHANDLER, WARDEN

The motion to direct the Clerk to file a petition for a writ of certiorari out of time is denied.

05M33

REDDY, KRISHNA K. V. STOTLER, JUDGE, USDC CD CA

The motion to direct the Clerk to file a petition for a writ of certiorari out of time under Rule 14.5 is denied.

05M34

UNDER SEAL V. UNITED STATES

The motion for leave to file a petition for a writ of certiorari under seal with redacted copies for the public record is granted.

05M35

FINK, KELLY M. V. MEIER, JONATHAN W.

The motion to direct the Clerk to file a petition for a writ of certiorari out of time is denied.

04-805

) TEXACO INC. V. DAGHER, FOUAD N., ET AL.

)

04-814

) SHELL OIL COMPANY V. DAGHER, FOUAD N., ET AL.

The motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is granted. The motion of respondents for divided argument is denied.

04-1371

MERRILL LYNCH, PIERCE, ETC. V. DABIT, SHADI

The motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is granted.

04-1376

FERNANDEZ-VARGAS, HUMBERTO V. GONZALES, ATT'Y GEN.

The motion of petitioner to dispense with printing the joint appendix is granted.

04-10566 ) SANCHEZ-LLAMAS, MOISES V. OREGON  
          )  
05-51      ) BUSTILLO, MARIO A. V. JOHNSON, DIR., VA DOC

The motion of the Solicitor General for enlargement of time for oral argument, for divided argument, and for leave to participate in oral argument as *amicus curiae* is granted. The time is to be divided as follows: 45 minutes for petitioners, 15 minutes for respondent in No. 04-10566, 15 minutes for respondent in No. 05-51, and 15 minutes for the Solicitor General as *amicus curiae* in support of respondents.

05-5224      DAVIS, ADRIAN M. V. WASHINGTON

The motion of petitioner for appointment of counsel is granted. Jeffrey L. Fisher, Esquire, of Seattle, Washington is appointed to serve as counsel for the petitioner in this case.

**APPEALS - JURISDICTION NOTED**

05-204      ) LEAGUE OF UNITED LATIN, ET AL. V. PERRY, GOV. OF TX, ET AL.  
          )  
05-254      ) TRAVIS COUNTY, TX, ET AL. V. PERRY, GOV. OF TX, ET AL.  
          )  
05-276      ) JACKSON, EDDIE, ET AL. V. PERRY, GOV. OF TEXAS, ET AL.  
          )  
05-439      ) GI FORUM OF TX, ET AL. V. PERRY, GOV. OF TX, ET AL.

In these cases probable jurisdiction is noted. These cases are consolidated and a total of two hours is allotted for oral argument.

**CERTIORARI GRANTED**

05-465      MOHAWK INDUSTRIES, INC. V. WILLIAMS, SHIRLEY, ET AL.

The petition for a writ of certiorari is granted limited to Question 1 presented by the petition.

**CERTIORARI DENIED**

05-41      PASEK, SEAN V. UNITED STATES  
  
05-310      DECORATIONS FOR GENERATIONS V. HOME DEPOT USA, INC., ET AL.

05-312 TEDDER, DAVID H. V. UNITED STATES

05-314 MUNARI, JACK V. EL PASO DE ROBLES, CA, ET AL.

05-315 DEEP SEA FISHERIES, INC., ET AL. V. UNITED STATES

05-325 HARDEN, SHERIFF, ET AL. V. FISHER, WILLIAM E.

05-433 DREAMSCAPE DESIGN, INC. V. AFFINITY NETWORK, INC.

05-444 WITMAN, ZACHARY P. V. PENNSYLVANIA

05-453 NORTHLAKE CHRISTIAN SCHOOL V. PRESCOTT, PAMELA L.

05-455 SFW ARECIBO, LTD., ET AL. V. RODRIGUEZ, ANGEL D., ET AL.

05-456 MEMOREX PRODUCTS, INC., ET AL. V. SANDISK CORP.

05-462 HUERTAS, HECTOR L. V. PHILADELPHIA, PA, ET AL.

05-476 KORN, STEPHEN P. V. SOUTHFIELD CITY CLERK

05-485 YEAGER, LEE W. V. GENERAL MOTORS CORP.

05-490 ) PSIHUYOS, LOUIS, ET AL. V. NAT'L GEOGRAPHIC ENTERPRISES

)

05-504 ) WARD, FRED V. NAT. GEOGRAPHIC ENTERPRISES

)

05-506 ) FAULKNER, DOUGLAS, ET AL. V. NAT'L GEOGRAPHIC SOCIETY, ET AL.

05-499 JMYK, P.C., ET AL. V. WA STATE BAR ASSN.

05-503 SYLVER, MICHAEL A. V. SEC

05-537 FROTHINGHAM, ELIZABETH M. V. RUMSFELD, SEC. OF DEFENSE

05-564 SHANNON, DERMAN V. AZ DEPT. OF ECONOMIC SEC.

05-599 BRAUN, LAURENCE V. UNITED STATES

05-5027 McDONALD, BRIAN V. ILLINOIS

05-6119 MARCH, DEMARCIS L. V. UNITED STATES

05-6184 BERKLEY, WILLIAM V. TEXAS

05-6291 VALLIN, SAMUEL V. UNITED STATES

05-6892 WILLIAMS, FREDERICK M. V. HARRISON, WARDEN

05-6893 WASHINGTON, RODERICK V. CHRONES, WARDEN, ET AL.

05-6897 THOMPSON, HUNTLEY V. FLORIDA

05-6900 SHERRATT, WILLIAM V. FRIEL, WARDEN, ET AL.

05-6902 SANDERS, GEORGE V. CATHEL, ADM'R, NJ, ET AL.  
05-6905 COHEN, LESLIE C. V. SYME, JAMES J., ET AL.  
05-6911 HAINES, ROBERT E. V. RISLEY, HENRY, ET AL.  
05-6916 BLACKMAN, NAJEE SABREE Q. V. HANKS, SUPT., WABASH VALLEY  
05-6917 BARRON, DOROTHY V. UNIV. OF TN  
05-6965 WOODWARD, LARRY W. V. FLORIDA  
05-6966 THOMAS, CURTIS L. V. DWYER, SUPT., SOUTHEAST  
05-6987 SIRECI, HENRY V. FLORIDA  
05-6998 MENDEZ, ANTHONY V. CROSBY, SEC., FL DOC  
05-7002 GREEN, ALPHONSO V. FLORIDA  
05-7059 JOHNSTON, JARED D. V. CALIFORNIA  
05-7066 BUSH, HAROLD V. CROSBY, SEC., FL DOC  
05-7076 GIBSON, LISA V. GIBSON, THOMAS  
05-7091 TALOUZI, BASIM A. V. LAPPIN, DIR., BOP, ET AL.  
05-7092 WILLIAMS, CALVIN J. V. MISSOURI  
05-7115 LAKE, FELIX V. CROSBY, SEC., FL DOC  
05-7126 QUINTERO, VANESSA M. V. CALIFORNIA  
05-7153 STEVENSON, JAMES R. V. SOUTH CAROLINA  
05-7172 BOGLE, ROBERT Z. V. BELLEQUE, SUPT., OR  
05-7173 BARTLEY, LAWRENCE V. SENKOWSKI, SUPT., CLINTON  
05-7178 JONES, NATHANIEL H. V. SOUTH CAROLINA, ET AL.  
05-7189 ANDERSON, MICHAEL A. V. SOLOMON, WARDEN, ET AL.  
05-7210 McCORD, DAVID E. V. JOHNSON, DIR., VA DOC  
05-7219 McCULLOUGH, DAVID V. WEST, SUPT., ELMIRA  
05-7228 LAURO, LENORE A. V. MASSACHUSETTS  
05-7286 McDANIEL, JAMES D. V. WATKINS, WARDEN, ET AL.  
05-7303 PINK, MALCOLM V. McKUNE, WARDEN  
05-7327 BRADFORD, CHARLES E. V. MAXWELL TREE EXPERT CO.

05-7351 TAUS, RICHARD V. ARTUS, SUPT., CLINTON  
05-7454 OGLE, JAMES O. V. UNITED STATES  
05-7465 McCANN, DANA D. V. UNITED STATES  
05-7472 ROBERTS, LUCIEN A. V. UNITED STATES  
05-7475 KRANGLE, MARK V. UNITED STATES  
05-7476 LANCASTER, TERRY C. V. UNITED STATES  
05-7478 BLACKWELL, PAYTON V. UNITED STATES  
05-7480 MOORE, CURTIS E. V. UNITED STATES  
05-7482 THURMAN, CURTIS M. V. UNITED STATES  
05-7485 HERRERA-TORRES, LUIS A. V. UNITED STATES  
05-7486 HALL, WILLIAM L. V. UNITED STATES  
05-7487 GARCIA, ODILON V. UNITED STATES  
05-7490 GANN, LARRY D. V. UNITED STATES  
05-7497 MEDINA-TENIENTE, SANDRO V. UNITED STATES  
05-7504 CRAWFORD, RICHARD V. UNITED STATES  
05-7505 WILLIAMS, JAMAL V. UNITED STATES  
05-7506 LINCOLN, RICHARD V. UNITED STATES  
05-7507 MASCAK, VIKTOR V. UNITED STATES  
05-7509 MATHIEU, YVENEL V. UNITED STATES  
05-7514 RICKETTS, MARK A. V. UNITED STATES  
05-7517 MIER-BLANCO, ROBERTO V. UNITED STATES  
05-7518 McCROREY, LEROY V. UNITED STATES  
05-7520 JACKSON, LESIA A. V. UNITED STATES  
05-7524 MARTINEZ, DEON R. V. UNITED STATES  
05-7527 COCKERHAM, SHAWN M. V. UNITED STATES  
05-7528 CRAWFORD, DONALD K. V. UNITED STATES  
05-7529 COTEAT, MICHAEL J. V. UNITED STATES  
05-7530 CASTILLO-VILLA, AMADOR V. UNITED STATES

05-7534 BUSTAMANTE-ROCHA, JORGE V. UNITED STATES  
05-7535 ARAUJO-CANTU, BERNARDO V. UNITED STATES  
05-7536 AGUILAR-CORTEZ, ALFREDO G. V. UNITED STATES  
05-7537 ALBARENGA-VILLALOBO, ALFREDO V. UNITED STATES  
05-7540 PLAISIR, NIXON V. UNITED STATES  
05-7554 LOZANO, DAVID V. FRANK, SEC., WI DOC  
05-7570 ROMERO, RALPH A. V. UNITED STATES  
05-7571 SOSEBEE, RACHEL S. V. UNITED STATES

The petitions for writs of certiorari are denied.

05-6899 STRABLE, DONALD J. V. SOUTH CAROLINA

The motion of petitioner for leave to proceed *in forma pauperis* is denied, and the petition for a writ of certiorari is dismissed. See Rule 39.8. As the petitioner has repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U.S. 1 (1992) (*per curiam*). Justice Stevens dissents. See *id.*, at 4, and cases cited therein.

#### REHEARINGS DENIED

04-1519 JONES, PHILLIP A. V. FULTON COUNTY, GA  
04-9972 ALLEN, PAUL C. V. UTAH  
04-10207 PARTIN, STEPHEN M. V. ARKANSAS  
04-10224 JACKSON, RANDY D. V. EPPS, COMM'R, MS DOC  
04-10265 CRAWFORD, ISAIAH V. IOWA  
04-10269 TURCUS, VASILE V. OAKLAND CTY. SHERIFF'S DEPT.  
04-10531 AVERY, TIMOTHY M. V. REED, SUPT., MANNING

04-10537 ELIAS, ALLAN V. UNITED STATES  
04-10632 HOGROBROOKS, HEATHER P. V. SUPREME COURT OF AR, ET AL.  
05-5511 FRYER, DONNA V. EVERSTINE, DIANE  
05-5627 TAYLOR, HENRY R. V. CARROLL, WARDEN, ET AL.  
05-5901 RICCARDI, JAMES V. UNITED STATES  
05-5931 MARTIN, VISTON S. V. VIRGINIA  
05-5991 TURCUS, VASILE V. AUTO CLUB GROUP INS. CO., ET AL.  
05-6028 MARTIN, MICHAEL L. V. MACFARLAND, ADM'R, SOUTH WOODS

The petitions for rehearing are denied.

05-5591 MURRAY, JAMES M. V. FLEET MORTGAGE GROUP, ET AL.

The petition for rehearing is denied. Justice Breyer took no part in the consideration or decision of this petition.

05-5337 PERKINSON, ERIC A. V. GEORGIA

The motion for leave to file a petition for rehearing is denied.